

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DEBRA EDWARDS,

Plaintiff,

v.

1:07-cv-2373-WSD

**CITIMORTGAGE, INC. and PINE
STATE MORTGAGE
CORPORATION,**

Defendant.

OPINION AND ORDER

This matter is before the Court on Magistrate Judge Gerrilyn G. Brill's Final Report and Recommendation ("R&R") [6], granting Defendants' Citimortgage, Inc. and Pine State Mortgage Corporation's (collectively, "Defendants") Motions to Dismiss [3, 2, respectively].

In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the Court conducts a careful *de novo* review of the portions of the R&R to which Plaintiff has objected, and reviews the remainder of the R&R for plain error. United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983). Because Plaintiff filed no objection to the R&R, the Court reviews it for plain error.


The Court finds no plain error in the R&R's finding that Plaintiff has failed as a matter of law to state a claim upon which relief can be granted.¹ Plaintiff's allegations, to the extent they can be understood, consist nearly entirely of indecipherable conclusory and speculative statements. "While a complaint attacked by a Rule 12(b)(6) motion to dismiss [for failure to state a claim upon which relief can be granted] does not need detailed factual allegations, a plaintiff's obligation to provide the grounds of his entitle[ment] to relief requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." Bell Atlantic Corp. v. Twombly, 127 S.Ct. 1955, 1964-65 (2007). See also Oxford Asset Mgmt., Ltd. v. Jaharis, 297 F.3d 1182, 1188 (11th Cir. 2002) ("conclusory allegations, unwarranted deductions of facts or legal conclusions masquerading as facts will not prevent dismissal.").

¹ The Court also notes that the Plaintiff filed no response to Defendants' Motions to Dismiss. Under Local Rule 7.1B, "[f]ailure to respond shall indicate that there is no opposition to the motion."

Accordingly,

IT IS HEREBY ORDERED that the Court **ADOPTS AS ITS ORDER** the Magistrate Judge's Final Report and Recommendation [6]. Defendants' Motions to Dismiss [2, 3] are **GRANTED**. The Clerk is directed to **CLOSE** this case.

SO ORDERED this 28th day of March, 2008.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE